



**COMMONWEALTH OF MASSACHUSETTS**  
**EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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**CERTIFICATION FOR GENERAL USE**

Pursuant to Title 5, 310 CMR 15.000

Name and Address of Applicant:

Eljen Corporation  
125 McKee Street  
East Hartford, CT 06108

Trade name of technology and model number: Eljen Xpandable Chamber, Models XP1607 through XP 3614 (hereinafter the "System").

Transmittal Number: W 030321  
Date of Issuance: January 7, 2003  
Expiration date: January 7, 2008

**Authority for Issuance**

Pursuant to Title 5 of the State Environmental Code, 310 CMR 15.000, the Department of Environmental Protection hereby issues this Certification to: Eljen Corporation, 125 McKee Street, East Hartford, CT 06108 (hereinafter "the Company"), for General Use in the Commonwealth of Massachusetts of the System described herein. Sale and use of the System are conditioned on and subject to compliance by the Company and the System owner with the terms and conditions set forth below. Any noncompliance with the terms or conditions of this Certification constitutes a violation of 310 CMR 15.000.

Signed  
Glenn Haas, Director  
Division of Watershed Management  
Department of Environmental Protection

January 7, 2003  
Date



**I. Purpose**

1. The purpose of this Certification is to allow the use of the System in Massachusetts on a General Use basis.
2. With the necessary permits and approvals required by 310 CMR 15.000, this Certification authorizes the use of the System in Massachusetts.
3. The System may be installed on all facilities where a system in compliance with 310 CMR 15.000 exists on site or could be built and for which a site evaluation in compliance with 310 CMR 15.000 has been approved by the local approving authority; or by DEP if DEP approval is required by 310 CMR 15.000.

**II. Design Standards**

1. The System is a modular non-aggregate leaching system constructed with geotextile fabric and cusped plastic cores. The System is installed on the bottom of a trench excavated six inches wider than the unit. The area on each side of the unit is backfilled with Title 5 fill as defined in 310 CMR 15.255 and in strict accordance with the manufacturer's installation guidelines. A four inch perforated distribution pipe is installed on top of the chamber to distribute wastewater over the entire leaching system. The distribution pipe and the entire chamber are covered with anti-siltation fabric to minimize the movement of soil into the unit. The System is backfilled with 12 inches of bank run sand or Title 5 fill and covered with a minimum of three inches of topsoil.
2. 310 CMR 15.251 (9): The effluent distribution lines shall be installed level.
3. 310 CMR 15.251(1)(e): The System, when used in trench configuration, shall be sized as follows:

Chamber	Dimensions WxH Inches	Allowable Trench Width Inches*	Invert Height Inches	Leaching Area SF/LF
XP1607	16x7	22	7	3.0
XP1610	16x10	22	10	3.5
XP1612	16x12	22	12	3.8
XP1614	16x14	22	14	4.1
XP2407	24x7	30	7	3.6
XP2410	24x10	30	10	4.1
XP2412	24x12	30	12	4.5
XP2414	24x14	30	14	4.8
XP3207	32x7	38	7	4.3
XP3210	32x10	38	10	4.8
XP3212	32x12	38	12	5.1
XP3214	32x14	38	14	5.5
XP3607	36x7	42	7	4.6
XP3610	36x10	42	10	5.1
XP3612	36x12	42	12	5.5
XP3614	36x14	42	14	5.8

\* Allowable width for leaching area calculated using an allowance of 6-inches of overdig.

4. The minimum separation between any two trenches shall be as specified in 310 CMR 15.251.
5. The System shall not be installed in a bed or field configuration as defined in 310 CMR 15.252.
6. The System shall not be installed as a Gallery or Chamber, as specified in 310 CMR 15.253: Pits, Galleries, or Chambers.

### **III. General Conditions**

1. The provisions of 310 CMR 15.000 are applicable to the use of the System, except those that specifically have been varied by the terms of this Certification.
2. The facility served by the System, and the System itself, shall be open to inspection and sampling by the Department and the local approving authority at all reasonable times.
3. In accordance with applicable law, the Department and the local approving authority may require the owner of the System to cease use of the System and/or to take any other action as it deems necessary to protect public health, safety, welfare or the environment.
4. The Department has not determined that the performance of the System will provide a level of protection to the environment that is at least equivalent to that of a sewer. Accordingly, no new System shall be constructed, and no System shall be upgraded or expanded, if it is feasible to connect the facility to a sanitary sewer, unless as allowed by 310 CMR 15.004.
5. Design, installation and use of the System shall be in strict conformance with the Company's DEP approved plans and specifications and 310 CMR 15.000, subject to this Certification.

### **IV. Conditions Applicable to the System Owner**

1. The System is approved for the treatment and disposal of sanitary sewage only. Any wastes that are non-sanitary sewage generated or used at the facility served by the System shall not be introduced into the on-site sewage disposal system and shall be lawfully disposed of.
2. The owner of the System shall at all times properly operate and maintain the on-site sewage disposal system.
3. The owner shall furnish the Department any information that the Department requests regarding the operation and performance of the System, within 21 days of the date of receipt of that request.
4. No owner shall authorize or allow the installation of the System other than by a person trained to install the System.

**V. Conditions Applicable to the Company**

1. By January 31st of each year, the Company shall submit to the Department a report, signed by a corporate officer, general partner, or Company owner that contains information on the System for the previous calendar year. The report shall state: the number of units of the System sold for use in Massachusetts during the reporting year; and for all systems installed since the first issuance of Certification for the System, all known failures, malfunctions, and corrective actions taken and the address of each such event.
2. The Company shall notify the Department's Director of Watershed Permitting at least 30 days in advance of any proposed transfer of ownership of the technology for which this Certification is issued. Said notification shall include the name and address of the proposed new owner and a written agreement between the existing and proposed new owner containing a specific date for transfer of ownership, responsibility, coverage and liability between them. All provisions of this Certification applicable to the Company shall be applicable to successors and assigns of the Company, unless the Department determines otherwise.
3. The Company shall furnish the Department any information that the Department requests regarding the System, within 21 days of the date of receipt of that request.
4. Prior to any sale of the System, the Company shall provide the purchaser with a copy of this Certification. In any contract for distribution or sale of the System, the Company shall require the distributor or seller to provide the purchaser of the System, prior to any sale of the System, with a copy of this Certification.
5. If the Company wishes to continue this Certification after its expiration date, the Company shall apply for and obtain a renewal of this Certification. The Company shall submit a renewal application at least 180 days before the expiration date of this Certification, unless written permission for a later date has been granted by the Department.
6. The Company shall not sell the System to installers unless they are trained to install these Systems by the Company.

**VI. Conditions Applicable to Installers of the System**

1. Each Installer shall install the System in accordance with Company training on the installation of the System and the conditions of this Certification.
2. No Installer shall install the System unless the Installer has been trained by the Company on installation of the System.

**VII. Reporting**

1. All submittals of notices and documents to the Department required by this Certification shall be submitted to:

Director  
Watershed Permitting Program  
Department of Environmental Protection  
One Winter Street - 6th floor  
Boston, Massachusetts 02108

**VIII. Rights of the Department**

1. The Department may suspend, modify or revoke this Certification for cause, including, but not limited to, non-compliance with the terms of this Certification, non-payment of an annual compliance assurance fee, for obtaining the Certification by misrepresentation or failure to disclose fully all relevant facts or any change in or discovery of conditions that would constitute grounds for discontinuance of the Certification, or as necessary for the protection of public health, safety, welfare or the environment, and as authorized by applicable law. The Department reserves its rights to take any enforcement action authorized by law with respect to this Certification, the System, the owner, or operator of the System and the Company.

**IX. Expiration Date**

1. Notwithstanding the expiration date of this Certification, any System installed prior to the expiration date of this Certification, and approved, installed and maintained in compliance with this Certification (as it may be modified) and 310 CMR 15.000, may remain in use unless the Department, the local approving authority, or a court requires the System to be modified or removed, or requires discharges to the System to cease.